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FORM PTO-1390
(REV. 12-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

30908.04.US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/719340

INTERNATIONAL APPLICATION NO.
PCT/US99/14104INTERNATIONAL FILING DATE
June 23, 1999PRIORITY DATE CLAIMED
June 23, 1998TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371
TITLE OF INVENTION CELL-BASED METHOD AND ASSAY FOR MEASURING THE
INFECTIVITY AND DRUG SENSITIVITY OF IMMUNODEFICIENCY VIRUS

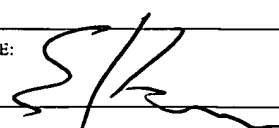
APPLICANT(S) FOR DO/EO/US

UAB RESEARCH FOUNDATION

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
 4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
 5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
 8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 16 below concern document(s) or information included:**
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
 14. ☐ A substitute specification.
 15. ☒ A change of power of attorney and/or address letter.
 16. ☒ Other items or information:

Response to Written Opinion

U.S. APPLICATION NO. (if known, see 37 CFR 1.53) 09/710340		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER		
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
Total claims	50 - 20 =	30	X \$18.00	\$	540.00	
Independent claims	6 - 3 =	3	X \$80.00	\$	240.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	270.00	
TOTAL OF ABOVE CALCULATIONS =				\$	1,150.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$		
SUBTOTAL =				\$		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		
TOTAL NATIONAL FEE =				\$	1,150.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$		
TOTAL FEES ENCLOSED =				\$	1,150.00	
				Amount to be refunded:	\$	
				charged:	\$ 130.00	
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,150.00</u> to cover the above fees is enclosed.						
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-1273</u> in the amount of \$ <u>130.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.						
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1273</u> . A duplicate copy of this sheet is enclosed.						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO: Edward O. Kreusser Brobeck, Phleger & Harrison, LLP 12390 El Camino Real San Diego, CA. 92130						
				SIGNATURE:	 Edward O. Kreusser	
				NAME		
				REGISTRATION NUMBER	38,523	

FEE TOTAL \$ 1,150.00

09/719340
528 Rec'd PCT/PTO 08 DEC 2000

In re the application of:

International App. No.: PCT/US99/14104

Filing Date: 23 June 1999

Priority Date: 23 June 1998

Title: CELL-BASED ASSAY FOR IMMUNODEFICIENCY VIRUS INFECTIVITY AND SENSITIVITY

Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231
Via Facsimile No.: (703) 308-4556

In response to the Written Opinion dated 27 July 2000, attached hereto are the following documents:

CERTIFICATE OF TRANSMISSION

11 September, 2000
Date of Transmission

Jill C. Youkel

030908.04.WO
(formerly ETP-10752/22)

1. Applicant's Amendment and Response
2. Substitute Pages 25, 32, 33 and 34.
3. This Transmittal Letter

Please direct all future correspondence to the address below, attention of the undersigned.

Respectfully submitted,

BROBECK, PHLEGER & HARRISON LLP

Dated: 11 September, 2000

By: 

Edward O. Kreusser
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